

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**PULTE HOMES TENNESSEE
LIMITED PARTNERSHIP,**

Plaintiff,

v.

**PBG OF SOUTH CAROLINA, INC.;
PALM BEACH GRADING, INC.;
EUGENE EICHELBERGER;
PBG MANAGEMENT
CORPORATION; SILAS
EQUIPMENT COMPANY, INC.; PBG
OF CENTRAL FLORIDA, INC.; and
BILLY R. SILAS,**

Defendants.

And

PBG OF SOUTH CAROLINA, INC.,

Counter-Plaintiff,

v.

**PULTE HOMES TENNESSEE
LIMITED PARTNERSHIP,**

Counter-Defendant.

Case No. 3:17-CV-01218

JUDGE RICHARDSON

MAGISTRATE JUDGE HOLMES

AGREED JUDGMENT

This is an action by Plaintiff against Defendants pursuant to which Plaintiff asserts that Defendants owe it money under a Master Land Trade Contractor Agreement concerning nonpayment of services to PBG of South Carolina, Inc.'s ("PBGSC") contractors and suppliers; defective work performed by PBGSC; PBGSC's failure to adequately and timely correct the work;

and damage to the dry utilities, curb landscaping and fencing; and PBGSC's lien against Pulte for nonpayment of services. Pulte brought claims against PBGSC's affiliates and owners under theories of alter ego and piercing the corporate veil. The Parties have agreed that Plaintiff is entitled to a judgment against PBGSC, PBG of Central Florida, Inc.; Palm Beach Grading, Inc.; Palm Beach Management Corporation; Silas Equipment Company, Inc.; and Billy Silas ("the PBG Defendants"). Without admitting any liability, the parties have agreed to resolve this matter pursuant to a comprehensive settlement agreement.

Without making any specific findings of fact or conclusions of law relating to any of the claims, counterclaims, or defenses asserted in this matter, and pursuant to the settlement agreement referenced herein and based upon the signature of counsel below, it appears to the Court that Plaintiff shall have judgment against, jointly and severally, against the PBG Defendants in the amount of \$700,000.00.

IT IS, ACCORDINGLY, ORDERED, that Plaintiff be and hereby is awarded judgment against PBG Defendants, jointly and severally, in the amount of \$700,000.00. Plaintiff is also awarded its attorneys' fees and costs incurred in collecting amounts due under the judgment, plus post-judgment interest at the rate of 10% per annum. This is a final and appealable order, there being no just cause for delay.

It is so ORDERED.

ENTERED this the 24th day of June, 2021.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE